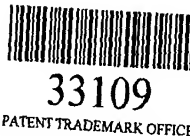




June 26, 2003

Mail Stop Patent Application
Commissioner For Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Re: Applicant(s): Vargas, Jaime; et. al.
 Assignee: Cardica, Inc.
 Title: Sutureless Closure and Deployment System for Connecting Blood
 Vessels
 Customer No.: 33109



Dear Sir:

This is a request for filing a **continuation** application under 37 CFR 1.53(b) of pending U.S. Patent Application serial no. **10/233,011**, filed on August 12, 2002 by the following named inventors:

- (a) Vargas, Jaime;
- (b) Yencho, Stephen A.;
- (c) Nielsen, Jamey;
- (d) Hendricksen, Michael;
- (e) Hausen, Bernard A.

Small entity status is hereby claimed.

Enclosed is a copy of the prior U.S. Patent Application serial no. 10/233,011 as originally filed on August 12, 2002, including copies of the specification, claims and drawings. A copy of the executed oath or declaration as filed in U.S. Pat. No. 6,428,550 (serial no. 09/314,278), which is the parent application to U.S. Patent Application Serial No. 09/946,791, which is the parent application to U.S. Patent Application Serial No. 10/223,011, is also enclosed. The entire disclosure of the prior application is considered to be part of the disclosure of the accompanying application and is hereby incorporated by reference herein.

Assignment to Vascular Innovations, Inc. of U.S. Pat. No. 6,428,550, which is the parent application to U.S. Patent Application Serial No. 09/946,791, which is the parent application to U.S. Patent Application Serial No. 10/223,011, is recorded at reel 010525, frame 0609. The change of name from Vascular Innovations, Inc. to Cardica, Inc. in U.S. Pat. No. 6,428,550 is recorded at reel 012563, frame 0861.

An Information Disclosure Statement is enclosed. In accordance with 37 CFR § 1.98(d) and MPEP 609(I)(A)(2), copies of references that have been considered by the Examiner in the

| Claims Remaining <u>After Amendment</u> | | Highest No. <u>Paid For</u> | Present <u>Extra</u> | <u>Rate</u> | | <u>Fee</u> |
|--|--|--------------------------------|-------------------------|-------------|----|------------|
| Basic Application Fee | | | | | | 375.00 |
| Total Claims | 34 | Minus 20 | = 14 | x \$9 | \$ | 126.00 |
| Independent Claims | 3 | Minus 3 | = 0 | x \$42 | \$ | 0.00 |
| <input type="checkbox"/> | Fee of _____ for the first filing of one or more multiple dependent claims per application | | | | | \$ |
| <input type="checkbox"/> | Fee for Request for Extension of Time | | | | | \$ 0.00 |
| <input checked="" type="checkbox"/> | Conditional Petition for Extension of Time: If an extension of time is required for timely filing of the enclosed document(s) after all papers filed with this transmittal have been considered, an extension of time is hereby requested. | | | | | |
| <input type="checkbox"/> | Please charge our Deposit Account No. 502108 in the amount of | | | | | \$ 0.00 |

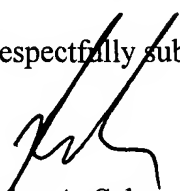
☒ Please charge any additional fees required and credit any overpayment to our Deposit
Account No. 502108.

Total: \$ 501.00

Allowance of the pending claims is respectfully requested.

Express Mail Label No.
EV295952852US

Respectfully submitted,


Brian A. Schar
Attorney for Applicant(s)
Reg. No. 45,076